

PATENT
09/849,022
Docket 091/005

REMARKS

This paper is supplemental to the Amendments under 37 CFR § 1.116 filed September 10, 2004; and April 7, 2005, which have both been entered into the file.

Claims 1-3, 6, 8-9, 13, and 15-36 are pending in the application and stand variously rejected. By way of this amendment, certain claims have been changed. The markings to the claims shown above reflect changes to the claims as they were presented in the April 7 Amendment. No claim has been added since the last Office Action.

The amendments to the claims are supported by the claims as previously presented, and throughout the specification, and introduce no new matter into the application.

Further consideration and allowance of the application is respectfully requested.

Rejections under 35 USC § 112 ¶ 1:

Rejection under the enablement requirements of § 112 ¶ 1 have been withdrawn with respect to claims 1-3, 6, 17, and 20-24, for which applicant is grateful. The rejection has been maintained for claims 8, 9, 13, 15, 16, 18, 19, and 25-36.

Base claims 8 and 9 are now amended to refer to culturing in medium conditioned by fibroblast feeder cells. Withdrawal of this rejection is respectfully requested.

Double Patenting

Certain claims in this application stand rejected for obviousness type double patenting over claims 62 and 63 of USSN 09/530,346. That application has since been issued as U.S. Patent 6,800,480. The corresponding claims in the issued patent are claims 10 and 11.

Enclosed herewith is a Terminal Disclaimer with respect to the '480 patent.

The application is believed to be in condition for allowance, which is respectfully requested. Should the Examiner determines that there are other matters to be addressed, applicant hereby requests a further interview by telephone.

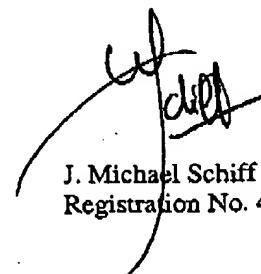
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Fees Due

Accompanying this Amendment are papers authorizing the Commissioner to charge the fee for the extension of time and the Terminal Disclaimer to applicant's deposit account.

Should the Patent Office determine that an extension of time or any other relief is required for further consideration of this application, applicant hereby petitions for such relief, and authorizes the Commissioner to charge the cost of such petitions and other fees due in connection with the filing of these papers to Deposit Account No. 07-1139, referencing the docket number indicated above.

Respectfully submitted,


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